

Notice of Allowability

Application No.	Applicant(s)	
10/681,615	GOTO ET AL.	
Examiner	Art Unit	
Rodney G. McDonald	1753	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to After Final Rejection submitted 7-11-07.
2. The allowed claim(s) is/are 1-8.
3. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some*
 - c) None of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.
4. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of
Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. Notice of References Cited (PTO-892)
2. Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. Notice of Informal Patent Application
6. Interview Summary (PTO-413),
Paper No./Mail Date _____
7. Examiner's Amendment/Comment
8. Examiner's Statement of Reasons for Allowance
9. Other _____.



RODNEY G. MCDONALD
PRIMARY EXAMINER

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Cindy Hawk on July 16, 2007.

The application has been amended as follows:

Claims 1-8 are allowable over the prior art of record because the prior art of record does not teach a plasma processing apparatus comprising a chamber defining at least one opening and constructed for retaining a generated plasma; a dielectric member positioned to sealingly cover the at least one opening; at least one wave guide provided exteriorly of the chamber such that one end side thereof opposes the dielectric member positioned to sealingly cover the at least one opening; at least one wave guide provided exteriorly of the chamber such that one end side thereof opposes the dielectric member; and hole area adjusting means including a reciprocatable plate portion provided in at least one, but not all, of the plurality of holes to adjust the opening area of the at least one hole and thereby modulate the waveform of the propagating wave during operation thereof.

The closest prior art to Noguchi et al. (Japan 2001-203099) fail to teach the hole area adjusting means including a reciprocatable plate portion provided in at least one, but not all, of the plurality of holes to adjust the opening area of the at least one hole

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and thereby modulate the waveform of the propagating wave during operation thereof.

Noguchi et al. teach changing the internal volume of the wave cavity waveguide in order to modulate the waveform but do not suggest the reciprocatable plate portion provided in at least one but not all, of the plurality of holes in order to perform such an operation.

Furthermore, Akimoto et al. (U.S. Pat. 6,189,481) teach modifying the internal volume of the chamber and not the waveguide to affect the plasma density in the chamber.

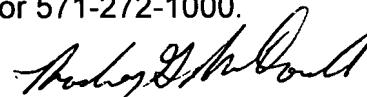
Akimoto et al. do not teach modulating the propagating wave in the waveguide nor limiting their reciprocatable plates to at least one, but not all, of the plurality of holes.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rodney G. McDonald whose telephone number is 571-272-1340. The examiner can normally be reached on M-TH with every Friday off..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nam X. Nguyen can be reached on 571-272-1342. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Rodney G. McDonald
Primary Examiner
Art Unit 1753

RM
July 16, 2007